

ORIGINAL

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAR 31 2006

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

at 8 o'clock and 54 min. AM  
SUE BEITIA, CLERK


GWEN E. AU Yong,	)	CIVIL NO. 03-00629 SOM/KSC
	)	
Plaintiff,	)	
	)	ORDER DENYING APPLICATION TO
vs.	)	REMAND CASE TO THE DISTRICT
	)	COURT OF THE FIRST CIRCUIT
JASON K BERINOBIS,	)	
	)	(Civ. No. 1RC03-1-4589 in the
Defendant.	)	District Court of the First
	)	Circuit, Ko'olaupoko
	)	Division)
In re: Issuance of Garnishees	)	
Summons to the United States	)	
Internal Revenue Service,	)	
	)	
Respondent.	)	
	)	

ORDER DENYING APPLICATION TO REMAND CASE  
TO THE DISTRICT COURT OF THE FIRST CIRCUIT

On March 30, 2006, this court received Gwen Auyong's "Application By Plaintiff to Remand Case Back to the District Court of the First Circuit." The problem with Auyong's request is that, on December 29, 2003, this case was dismissed by stipulation. So long as this case is dismissed, there is nothing to remand to the state court. Accordingly, Auyong's remand request is denied.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, March 30, 2006

  
SUSAN OKI MOLLWAY  
UNITED STATES DISTRICT JUDGE